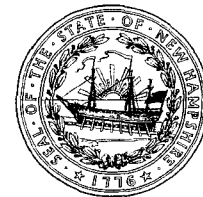




The State of New Hampshire  
**Department of Environmental Services**



Michael P. Nolin  
Commissioner

February 23, 2006

Mr. David Convery  
Milton-CAT  
100 Quarry Drive  
Milford, MA 01757

**CERTIFIED MAIL (7099 3400 0018 1290 6276)  
RETURN-RECEIPT REQUESTED**

**NOTICE OF PAST VIOLATION  
(Sta.S)**

**RE: Milton-CAT  
554 Maple Street, Hopkinton, NH 03045**

Dear Mr. Convery:

On December 9, 2005, the New Hampshire Department of Environmental Services, Air Resources Division ("DES") issued a Temporary Permit TP-BP-0697 ("the Permit") to Milton-CAT for the Spray Booth located at 554 Maple Street, Hopkinton, NH. The Permit expires on May 31, 2007. The purpose of this letter is to notify you of the violations discovered during the permitting process for the Spray Booth. The specific violations are as follows:

1. Env-A 603.01(a) *Permit Required*, prohibits the construction or installation of a new or modified stationary source or device, as specified in Env-A 607.01 *Specific Applicability*, prior to receiving a temporary permit to construct or install such a source or device. Milton-CAT installed a Spray Booth in 2003 and did not receive a permit for this device until December 9, 2005. Therefore, Milton-CAT constructed and was operating the Spray Booth without a permit during this time period.
2. Env-A 907.01 and Env-A 705.01 require the owner or operator of a device subject to Env-A 607, *Specific Applicability for Temporary Permits*, to submit annual emission reports and annual emission-based fees by April 15<sup>th</sup> of the following year. Milton-CAT did not submit timely emission reports or emission-based fees for the Spray Booth for calendar years 2003 and 2004. Milton-CAT did, however, submit a \$2,000 permit application fee which DES has accepted in lieu of emission fees for calendar years 2003 and 2004. In addition, Milton-CAT submitted the emission reports for calendar years 2003 and 2004 with the submittal of the permit application to DES for the Spray Booth on June 28, 2005. Therefore, no further fees or emission reports are required for calendar years 2003 and 2004.

DES recognizes the efforts that Milton-CAT has taken to come into compliance with the above referenced violations. Accordingly, no further action in response to the described violations is required.

DES requests that Milton-CAT comply with the NH Code of Administration Rules Env-A 100 et. seq., and all obligations contained in the Permit. Also, please be advised that the emissions report and payment for calendar year 2005 emissions are due by April 15, 2006. In the event that other violations are identified or if Milton-CAT fails to comply with all applicable requirements in the future, DES may take action against Milton-CAT, including issuing an administrative order, seeking administrative fines, and/or referring the matter to the NH Department of Justice for civil and/or criminal penalties.

If you believe that DES has cited these violations in error, or have questions regarding these matters, please contact Tara E. Olson at (603) 271-4625, Air Resources Division, Compliance Bureau. A current copy of the Air Resource Division rules can be obtained from the DES website at <http://www.des.nh.gov/rules/air.htm> or by contacting the DES Public Information Center at (603) 271-2975.

Sincerely,

A handwritten signature in black ink, appearing to read 'COPY' with a stylized flourish extending from the end.

Pamela G. Monroe  
Compliance Bureau Administrator  
Air Resources Division

PGM/teo

cc: R. Kurowski, EPA Region 1  
G. Hamel, DES Legal Unit Administrator  
E. Wojnowski, Hopkinton Town Administrator  
R. Fleury, Tighe and Bond, Inc.  
AFS # 3301300122